

I am writing to express my opposition to the FBI's proposed extension of the Communication Assistance for Law Enforcement Act of 1994 (CALEA) to the Internet. If adopted, the proposal would go far beyond Congress' intent in passing CALEA, significantly burden innovation and increase the cost of broadband. I hope that the FCC will recognize these threats and decline to open a rulemaking on this issue.

The FBI's proposal runs contrary to both Congress' intent and the letter of the law. CALEA's language clearly exempts "information services" like those offered by broadband ISPs. The bill's legislative history also indicates that this proposal reaches much farther than its authors intended. The Internet was not part of CALEA's mandate in 1994, and the FBI should not be allowed to rewrite history through an FCC rulemaking.

Setting aside the impropriety of the FBI's proposal, I would also point out that it is bad policy. It would force the FCC to evaluate new Internet communication technologies for CALEA compliance, burdening both the Commission and private innovation.

The rapid development and open access that makes the Internet valuable will be severely hampered if creators have to ask the FCC and FBI before making a new product.

Further, the FCC, Internet service providers, equipment builders and broadband consumers would be forced to subsidize the FBI's surveillance goals. Congress never intended CALEA to reach this far, as evidenced by the fact that the bill's original funds were spent long ago.

Please reject the FBI's proposal to extend CALEA. Thank you for your time.